

FEDERAL REGISTER

VOLUME 14 1934 NUMBER 107

Washington, Saturday, June 4, 1949

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 167]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.440 Orange Regulation 167—

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient and a reasonable time is permitted, under the circumstances, for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., June 6, 1949, and ending at 12:01 a. m., June 13, 1949, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges, grown in Regulation Area II

which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 or U. S. No. 2 Bright unless such oranges (a) are in the same container with oranges which grade at least U. S. No. 1 Russet and (b) are not in excess of 50 percent, by count, of the number of all oranges in such container; or

(iv) Any oranges, except Temple oranges, grown in Regulation Area I or Regulation Area II which are of a size larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, the terms "handler," "ship," "Regulation Area I," and "Regulation Area II" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "U. S. No. 3," "standard pack," "container," and "standard nailed box" shall each have the same meaning as when used in the United States Standards for Oranges (13 F. R. 5174, 5306). Shipments of Temple oranges grown in the State of Florida are subject to the provisions of Orange Regulation 159 (14 F. R. 501, 637). (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Part 933)

Done at Washington, D. C., this 1st day of June 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 49-4455; Filed, June 3, 1949;
8:51 a. m.]

[Grapefruit Reg. 114]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.441 Grapefruit Regulation 114—

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the

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State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) Order. (1) During the period beginning at 12:01 a. m., e. s. t., June 6, 1949, and ending at 12:01 a. m., e. s. t., June 13, 1949, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, unless such grapefruit grade at least U. S. No. 2 Russet;

(ii) Any seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with

the requirements of a standard pack, in a standard nailed box; or

(iii) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 126 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box, unless such grapefruit grade U. S. Fancy, U. S. No. 1 Bright, U. S. No. 1, U. S. No. 1 Golden, U. S. No. 1 Bronze, or U. S. No. 1 Russet.

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order; and the terms "U. S. Fancy," "U. S. No. 1 Bright," "U. S. No. 1," "U. S. No. 1 Golden," "U. S. No. 1 Bronze," "U. S. No. 1 Russet," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall each have the same meaning as when used in the United States Standards for Grapefruit (13 F. R. 4787). (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Part 933)

Done at Washington, D. C., this 1st day of June 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 49-4454; Filed, June 3, 1949;
8:51 a. m.]

[Orange Reg. 278]

PART 966—ORANGES GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.424 *Orange Regulation 278*—(a) Findings. (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) Order. (1) The quantity of oranges grown in the State of California

or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 5, 1949, and ending at 12:01 a. m., P. s. t., June 12, 1949, is hereby fixed as follows:

(i) *Valencia oranges*. (a) Prorate District No. 1: Unlimited movement;

(b) Prorate District No. 2: 800 carloads;

(c) Prorate District No. 3: Unlimited movement.

(ii) *Oranges other than Valencia oranges*. (a) Prorate District No. 1: No movement;

(b) Prorate District No. 2: Unlimited movement;

(c) Prorate District No. 3: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handler," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 (11 F. R. 10258) of the rules and regulations contained in this part. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 3d day of June 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

PRORATE BASE SCHEDULE

VALENCIA ORANGES

Prorate District No. 2

[12:01 a. m. June 5, 1949 to 12:01 a. m. June 12, 1949]

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta	.0901
A. F. G. Corona	.0323
A. F. G. Fullerton	.8721
A. F. G. Orange	.4148
A. F. G. Riverside	.1044
A. F. G. San Juan Capistrano	.6728
A. F. G. Santa Paula	.5011
Hazeltine Packing Co.	.4509
Placentia Pioneer (Valley Growers' Association)	.6550
Signal Fruit Association	.0966
Azusa Citrus Association	.4268
Dameral-Allison Co.	.8611
Glendora Mutual Orange Association	.3396
Puente Mutual Orange Association	.1692
Valencia Heights Orchard Association	.4956
Covina Citrus Association	1.1735
Covina Orange Growers Association	.5816
Glendora Citrus Association	.3534
Glendora Heights Orange and Lemon Growers Association	.0534
Gold Buckle Association	.4952
La Verne Orange Association	.6533
Anaheim Citrus Fruit Association	1.2667
Anaheim Valencia Orange Association	1.1737
Eadington Fruit Co., Inc.	3.2255
Fullerton Mutual Orange Association	1.5774
La Habra Citrus Association	1.0395

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Orange County Valencia Association	0.4516
Orangethorpe Citrus Association	.9776
Placentia Cooperative Orange Association	1.3465
Yorba Linda Citrus Association, The	.6490
Escondido Orange Association	2.3694
Alta Loma Heights Citrus Association	.0673
Citrus Fruit Growers	.1393
Cucamonga Citrus Association	.0921
Rialto Heights Orange Growers	.0562
Upland Citrus Association	.4048
Upland Heights Orange Association	.1120
Consolidated Orange Growers	2.0757
Frances Citrus Association	1.1151
Garden Grove Citrus Association	1.4847
Goldenwest Citrus Association, The	1.3810
Irvine Valencia Growers	2.6292
Olive Heights Citrus Association	2.0014
Santa Ana-Tustin Mutual Citrus Association	.9466
Santiago Orange Growers Association	4.2272
Tustin Hills Citrus Association	1.9008
Villa Park Orchards Association, The	1.9137
Bradford Brothers, Inc.	.6947
Placentia Mutual Orange Association	2.0188
Placentia Orange Growers Association	2.4332
Yorba Orange Growers Association	.6199
Call Ranch	.0615
Corona Citrus Association	.5348
Jameson Company	.0494
Orange Heights Orange Association	.5258
Crafton Orange Growers Association	.2873
East Highlands Citrus Association	.0589
Fontana Citrus Association	.1224
Highland Fruit Growers Association	.0336
Redlands Heights Groves	.2496
Redlands Orangedale Association	.2576
Break & Sons, Allen	.0301
Bryn Mawr Fruit Growers Association	.1683
Mission Citrus Association	.1522
Redlands Cooperative Fruit Association	.3100
Redlands Orange Growers Association	.2106
Redlands Select Groves	.2249
Rialto Citrus Association	.2012
Rialto Orange Co.	.1691
Southern Citrus Association	.1597
United Citrus Growers	.1278
Zilen Citrus Co.	.0803
Andrews Bros. of California	.0131
Arlington Heights Citrus Co.	.1145
Brown Estate, L. V. W.	.1224
Gavilan Citrus Association	.1457
Highgrove Fruit Association	.0800
Krinar Packing Co.	.2495
McDermont Fruit Co.	.1916
Monte Vista Citrus Association	.2078
National Orange Co.	.0411
Riverside Heights Orange Growers Association	.0540
Sierra Vista Packing Association	.0499
Victoria Avenue Citrus Association	.1746
Claremont Citrus Association	.1446
College Heights Orange & Lemon Association	.2519
El Camino Citrus Association	.0655
Indian Hill Citrus Association	.2016
Pomona Fruit Growers Exchange	.3711
Walnut Fruit Growers Association	.4529
West Ontario Citrus Association	.2873
El Cajon Valley Citrus Association	.2706

RULES AND REGULATIONS

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
San Dimas Orange Growers Association	0.4746
Canoga Citrus Association	.8788
Covina Valley Orange Company	.0791
North Whittier Heights Citrus Association	.8456
San Fernando Fruit Growers Association	.6380
San Fernando Heights Orange Association	.9358
Sierra Madre-Lamanda Citrus Association	.4051
Camarillo Citrus Association	1.8875
Fillmore Citrus Association	3.6234
Mupu Citrus Association	2.2165
Ojai Orange Association	.9740
Piru Citrus Association	2.2478
Rancho Sespe	.7408
Santa Paula Orange Association	1.1188
Tapo Citrus Association	1.0234
Ventura County Citrus Association	.2518
Limonera Co.	.5634
East Whittier Citrus Association	.8633
El Ranchito Citrus Association	1.7430
Whittier Citrus Association	.6180
Whittier Select Citrus Association	.3537
Anaheim Cooperative Orange Association	1.3999
Bryn Mawr Mutual Orange Association	.0774
Chula Vista Mutual Lemon Association	.0757
Escondido Cooperative Citrus Association	.3377
Euclid Avenue Orange Association	.5615
Fullerton Cooperative Orange Association	.2986
Garden Grove Orange Cooperative, Inc.	.8097
Golden Orange Groves, Inc.	.2300
Highland Mutual Groves, Inc.	.0145
Index Mutual Association	.2963
La Verna Cooperative Citrus Association	1.5990
Mentone Heights Association	.0299
Olive Hillside Groves, Inc.	.4354
Orange Cooperative Citrus Association	1.1345
Redlands Foothill Groves	.4689
Redlands Mutual Orange Association	.1386
Riverside Citrus Association	.0349
Ventura County Orange and Lemon Association	1.0022
Whittier Mutual Orange and Lemon Association	.1360
Babij Juice Corp. of California	.6533
Banks, L. M.	.6165
Borden Fruit Co.	.9000
California Associated Growers	.3912
California Fruit Distributors	.1232
Cherokee Citrus Co., Inc.	.1564
Chess Co., Meyer, W.	.2647
Evans Bros. Packing Co.	.3041
Gold Banner Association	.2314
Granada Hills Packing Co.	.0407
Granada Packing House	2.6577
Hill Packing House, Fred A.	.0591
Knapp Packing Co., John C.	.2480
Orange Belt Fruit Distributors	2.1036
Panno Fruit Co., Carlo.	.0380
Paramount Citrus Association	.5668
Placentia Orchard Co.	.5387
San Antonio Orchard Co.	.3291
Snyder & Sons Co., W. A.	.7295
Stephens, T. F.	.1888
Wall, E. T.	.1032
Western Fruit Growers, Inc.	.5047

[F. R. Doc. 49-4600; Filed, June 3, 1949; 11:21 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter V—Department of the Army

Subchapter F—Personnel

PART 583—FORMER PERSONNEL

REPRESENTATIVE ACTIVITIES BEFORE DEPARTMENT OF THE ARMY OR ITS AGENCIES

Rescind § 583.1 and substitute the following in lieu thereof:

§ 583.1 *Representative activities before Department of the Army or its agencies—*

(a) *General.* No person shall be allowed to appear in a representative capacity before the Department of the Army or any of its agencies in a matter involving a claim against the United States before said Department or matters which are preliminary to the formal presentation of a claim, or concerning surplus property unless and until said person has filed a notice of appearance in the form set forth in paragraph (b) of this section in duplicate. Both copies will be signed.

(b) *Notice of appearance.* The notice of appearance will be in the following form:

NOTICE OF APPEARANCE BEFORE AGENCY, BOARD, COMMISSION, OR OFFICERS OF THE DEPARTMENT OF THE ARMY

To: Department of the Army

Attn: _____

In the matter of _____ (Name)

1. Please take notice that I _____ hereby file notice of appearance in the aforesaid matter and certify that the representations hereinafter set forth are true.

2. My business address and telephone number are: _____

3. a. I (have) (have never)² served with the Department of the Army as officer (military or civilian), clerk, or employee.

b. I served during the following period in the following position: _____

4. I (have) (have not)² while serving with the Department of the Army, as described in 3a, or otherwise serving with the Government, given personal consideration to the matter concerning which I am now appearing and (have) (have not)² gained personal knowledge of the facts thereof while so connected.

5. I (am) (am not)² and (will) (will not)² be associated in this matter with any person who has personally considered it or gained personal knowledge thereof while connected with the Department of the Army.

(Signature)

¹ State agency, board, commission, or officer before whom you wish to appear.

² Omit inappropriate word.

³ State place, position, title or rank, description of actual work performed, and period of employment.

[SR 600-785-1, May 17, 1949] (R. S. 161; 5 U. S. C. 22)

[SEAL]

EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-4432; Filed, June 3, 1949; 8:48 a. m.]

TITLE 44—PUBLIC PROPERTY AND WORKS

Chapter IV—War Assets Administration

[Reg. 1, Order 14]

PART 401—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN CONTINENTAL U. S., ITS TERRITORIES AND POSSESSIONS

TRANSFER TO U. S. OF REAL PROPERTY WHICH HAS BEEN DECLARED SURPLUS BUT HAS NOT BEEN SOLD AND THE RECORD TITLE TO WHICH IS NOT IN ITS NAME

Pursuant to the authority of the Surplus Property Act of 1944, as amended (58 Stat. 765, as amended, 50 U. S. C. App. Sup. 1611); Public Law 181, 79th Congress (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b); Reorganization Plan 1 of 1947 (12 F. R. 4534); Public Law 862, 80th Congress (62 Stat. 1196); and Public Law 7, 81st Congress (63 Stat. 6), it is hereby ordered that:

§ 401.57 *Transfer to the United States of America of real property which has been declared surplus but has not been sold and the record title to which is not in its name.* (a) In order to facilitate the administration and disposition of real property which has been declared surplus, but which has not been sold and deeds or other instruments of conveyance executed and delivered prior to the effective date of this order, and the record title to such property is not in the name of the United States of America, the owning agency which declared such property surplus, if and when the disposal agency determines such to be advisable and upon the request of said disposal agency, shall supplement its declaration of such property by delivering to the disposal agency a quit-claim deed and if appropriate in the opinion of the disposal agency other instruments of transfer without warranty express or implied transferring all of the right, title and interest of the owning agency in such property to the United States of America.

(b) Said deed shall be substantially in the same form as that approved by the Attorney General for use in the transfer or disposition of real property by a disposal agency, and shall be in such form as to be recordable by the disposal agency in the appropriate office of the jurisdiction where the property is located.

(c) Said deed, accompanied by a conformed copy thereof, shall be delivered to the disposal agency upon its request in writing as promptly as possible, but in no event later than sixty days after such request has been made in writing, unless the disposal agency consents in writing to a later date.

This order shall become effective June 2, 1949.

JESS LARSON,
Administrator.

JUNE 2, 1949.

[F. R. Doc. 49-4602; Filed, June 3, 1949; 2:15 p. m.]

¹ WAA Reg. 1 (13 F. R. 5050).

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[27 CFR, Part 5]

LABELING AND ADVERTISING OF DISTILLED SPIRITS

NOTICE OF HEARING

Notice is hereby given, pursuant to the provisions of section 5 of the Federal Alcohol Administration Act (49 Stat. 981; 27 U. S. C. 205), of a public hearing to be held on July 11, 1949, at 10 a. m. at Room No. 1318, Department of Justice Building, Washington, D. C., at which time and place all interested parties will be afforded opportunity to be heard, in person or by authorized representative, with reference to several proposals, the substance of which is stated below, to amend Regulations No. 5 (27 CFR, Part 5), relating to labeling and advertising of distilled spirits.

Written data, views or arguments relevant and material to these proposals may be submitted in duplicate for incorporation into the record of said hearing (1) by mailing the same addressed to the Deputy Commissioner in charge of the Alcohol Tax Unit, Bureau of Internal Revenue, Washington 25, D. C., provided that they are received prior to the termination of the hearing, or (2) by presenting the same at the said hearing. Material relating to each proposal shall be submitted separately and shall bear the number of the proposal to which it relates. At the conclusion of the hearing a reasonable opportunity will be afforded interested parties for the examination of the record and for the submission of briefs.

1. To amend 27 CFR 5.1 (j) (Article I (j)) to provide that "age" shall mean the period during which distilled spirits, including American type whiskies, have been stored in oak containers, as follows:

(j) The term "age" means the period during which, after distillation and before bottling, distilled spirits have been kept in oak containers.

Or, if the first alternative in Proposal No. 5 is rejected;

To amend 27 CFR 5.1 (j) (Article I (j)) to provide that "age" for all whiskies of the traditional American types (except for the various types of corn whisky) shall include, in addition to a period of storage in charred new oak containers, any prior period of storage in reused charred oak, as follows:

(j) The term "age" means the period during which, after distillation and before bottling, distilled spirits have been kept in oak containers. In the case of American type whiskies, other than corn whisky, straight corn whisky, blended corn whisky and blends of straight corn whisky, "age" means the period during which the whisky has been kept in charred new oak containers plus any prior period of storage in reused charred oak containers.

2. To amend 27 CFR 5.21 (b) (Section 21, Class 2) so as to provide that "rye whisky", "bourbon whisky", etc., and "straight whisky", "straight rye whisky", etc., (but not including any of the types of corn whisky) must be stored for a minimum period in charred new oak cooperage, as follows:

a. By deleting the present 27 CFR 5.21 (b) (1), (2), (3), (4), (5), (6) and (7) (subsections (a), (b), (c), (d), (e), (f) and (g)) and inserting in lieu thereof the following:

(1) "Rye whisky", "bourbon whisky", "wheat whisky", "malt whisky" or "rye malt whisky" is whisky which has been distilled at not exceeding 160° proof from a fermented mash of not less than 51 percent rye grain, corn grain, wheat grain, malted barley grain, or malted rye grain, respectively, stored for a period of at least 6 calendar months in charred new oak containers; and also includes mixtures of such whiskies where the mixture consists exclusively of whiskies of the same type. "Corn whisky" is whisky which has been distilled at not exceeding 160° proof from a fermented mash of not less than 80 percent corn grain, stored in uncharred oak containers or reused charred oak containers, and not subjected, in the process of distillation or otherwise, to treatment with charred wood; and also includes mixtures of such whisky.

(2) "Straight whisky" is whisky distilled at not exceeding 160° proof which is stored for not less than 24 calendar months in charred new oak containers. The term "straight whisky" also includes mixtures of straight whiskies, which, by reason of being homogeneous, are not subject to the rectification tax under the internal revenue laws. "Straight rye whisky", "straight bourbon whisky", "straight wheat whisky", "straight malt whisky" or "straight rye malt whisky" is rye whisky, bourbon whisky, wheat whisky, malt whisky or rye malt whisky stored for not less than 24 calendar months in charred new oak containers.

(3) "Straight corn whisky" is corn whisky which has been stored in uncharred oak containers or reused charred oak containers for a period of not less than 24 calendar months.

(4) "Blended whisky" (whisky—a blend) is a mixture which contains at least 20 percent by volume of 100° proof straight whisky, or any of the types of straight whisky, or straight corn whisky, and, separately or in combination, whisky or neutral spirits, if such mixture at the time of bottling is not less than 80° proof.

b. By relettering the present 27 CFR 5.21 (b) (8) and (9) to (5) and (6) (subsections (h) and (i) as (e) and (f), respectively).

c. By deleting the present subparagraph (10) (subsection (j)) and inserting in lieu thereof the following new subparagraph (7) (subsection (g)):

(7) "Spirit whisky" is a mixture (i) of neutral spirits and not less than 5 percent by volume of whisky, or (ii) of neutral spirits and less than 20 percent by volume of straight whisky or any of the types of straight whisky, or straight corn whisky, but not less than 5 percent by volume of such straight whisky or of such straight whisky and whisky, if the resulting product at the time of bottling is not less than 80° proof.

d. And by relettering consecutively the remaining subparagraphs of this class and correcting accordingly any references to these types elsewhere in the regulations.

3. To amend 27 CFR 5.32 (c) (5) (section 32 (c) (10)) so as to eliminate the present reference to a labeling statement of the type of cooperage and the present proviso with respect to American whisky produced between July 1, 1936, and March 1, 1938, as follows:

(5) Age of whisky and straight whisky, and respective percentages of whisky, straight whisky, and neutral spirits, in accordance with § 5.39.

4. To amend 27 CFR 5.34 (section 34) so as to eliminate the requirement that certain domestic whiskies which have been stored in reused cooperage bear the statement "distilled from rye (or bourbon, wheat, malt or rye malt) mash" as the case may be, by deleting paragraph (e) (subsection (e)) thereof and by relettering the present paragraph (f) as (e) (subsection (f) as (e)).

5. To amend 27 CFR 5.39 (a) (section 39 (a)) so as to eliminate the requirement that "whisky" produced in the United States and stored in reused cooperage shall bear, in lieu of an "age" statement, a statement of the period of storage in reused cooperage, by deleting the final subparagraph of this paragraph.

Or, if the second alternative in Proposal No. 1 is adopted:

To amend the last paragraph of 27 CFR 5.39 (a) (section 39 (a)) so as to provide that the storage statement now required on domestic whiskies stored in reused cooperage shall not apply to such whiskies as have become entitled to American type designations through a later period of storage in charred new oak containers, and to provide a storage statement for domestic whiskies, not of American type, stored in new as well as in reused oak containers, as follows:

By deleting the phrase "whisky (as defined in § 5.21 (b)) produced in the United States on and after March 1, 1938", and inserting in lieu thereof the phrase "domestic whisky not of American type" and by adding the following first proviso to the said paragraph: "Provided, That in the case of domestic whisky not of American type which has been stored in reused cooperage and in charred new oak cooperage the required statement shall read ' * * * stored --- (years and/or months) in reused cooperage and --- (years and/or months) in charred new oak cooperage'."

Such of these proposals as are adopted will be applicable either (1) to all whiskies, or (2) only to such whiskies as were distilled during a past period or periods to be specified. In any event it is proposed that the amendments, if adopted, shall become effective on the 31st day after date of publication in the FEDERAL REGISTER.

[SEAL] CARROLL E. MEALEY,
Deputy Commissioner.

[F. R. Doc. 49-4547; Filed, June 2, 1949;
4:45 p. m.]

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR, Parts 4, 17, 18, 24, 27]

MEAT INSPECTION

NOTICE OF PROPOSED AMENDMENTS

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture is considering amending the regulations (9 CFR, Chapter I, Subchapter A, as amended, 14 F. R. 441) issued under the Meat Inspection Act, as amended (21 U. S. C. 71-91), the so-called Horse Meat Act (21 U. S. C. 96), and section 306 of the Tariff Act of 1930 (19 U. S. C. 1306) as follows:

PART 4—APPLICATIONS FOR INSPECTION OR EXEMPTION; RETAIL BUTCHERS, RETAIL DEALERS, AND FARMERS

Section 4.3 (a) is amended to read as follows:

§ 4.3 *Exemption.* (a) Retail butchers and retail dealers in product, supplying their customers as provided in the Meat Inspection Act, upon making application, pursuant to § 4.1, may be exempted from inspection. To each one so exempted a numbered certificate of exemption shall be furnished. No certificate of exemption shall be issued unless all the premises on which the products are prepared and handled are maintained in a sanitary condition. Failure by certificate holders to maintain sanitary conditions or to conform to such of the regulations in this subchapter as apply to them shall be cause for withdrawal of exemption and the cancellation of certificates. Such exempted establishments shall conform to the same regulations as govern official establishments to the extent that such regulations are applicable, including but not limited to those regulations regarding labeling, the use of dyes, chemicals, and preservatives, and the prescribed treatment of pork to destroy trichinae as required under Part 18 of this subchapter.

PART 17—LABELING

1. Section 17.2 (b) is amended to read as follows:

§ 17.2 *Labels, what to contain, when and how used.* * * *

(b) Labels shall contain, prominently and informatively displayed, (1) the true name of the product; (2) the word "ingredients" followed by a list of the ingredients when the product is fabricated from two or more ingredients, except in

the case of products for which definitions and standards of identity have been prescribed under Part 28 of this subchapter; (3) the name and place of business of the manufacturer, packer, or person for whom the product is prepared; (4) an accurate statement of the quantity of contents; and (5) an inspection legend and the number of the establishment in the form shown herewith, on that por-



tion of the label featuring the name of the product, or, when there are two or more panels, then on the principal display panels: *Provided*, That the name and place of business of the manufacturer, packer, or person for whom the product was prepared and the statement of quantity of contents may be omitted from labels for product not required to be labeled under § 17.1: *Provided further*, That the establishment number may be omitted from the labels on cartons used as outer containers of edible fats, such as lard and oleomargarine, when such articles are enclosed in wrappers which bear an inspection legend and establishment number; and from a label lithographed directly on a can bearing the embossed or lithographed establishment number: *And provided further*, That a metal container on which an inspection legend is embossed or lithographed may, with the approval of the chief of division, bear an inspection legend of different design and in abbreviated form.

2. Section 17.2 (d) is amended to read as follows:

(d) The establishment number shall be either embossed or lithographed on all sealed metal containers of inspected and passed product filled in an official establishment, except that such containers which bear labels lithographed directly on the can and in which the establishment number is incorporated need not have the establishment number embossed or lithographed thereon. Labels shall not be affixed to containers so as to obscure the embossed or lithographed establishment number.

3. Section 17.3 (c) (1) is amended to read as follows:

§ 17.3 *False or deceptive names; established trade names; false indication of origin or quality; use of names of countries, States, etc.; "farm," "country," etc., qualified by word "style"; labeling of lard, oleo oil, oleo stearin, etc.* * * *

(c) * * *
(1) Terms having geographical significance with reference to a locality other than that in which the product is pre-

pared may appear on the label only when qualified by the word "style," "type," or "brand," as the case may be, in the same size and style of lettering as in the geographical term and accompanied with a prominent qualifying statement identifying the country, State, Territory, or locality in which the product is prepared, using terms appropriate to effect the qualification. When the word "style" or "type" is used, there must be a recognized style or type of product identified with and peculiar to the locality represented by the geographical term and the product must possess the characteristics of such style or type, and the word "brand" shall not be used in such a way as to be false or deceptive: *Provided*, That a geographical term which has come into general usage as a trade name and which has been approved by the chief of division as being a generic term may be used without the qualifications provided for in this paragraph. The terms "Frankfurter," "vienna," "bologna," "lebanon bologna," "braunschweiler," "thuringer," "genoa," "leona," "berliner," "holstein," "goteborg," "milan," "polish," and their modifications, as applied to sausages, the terms "brunswick," and "Irish" as applied to stews, and the term "boston" as applied to pork shoulder butts, need not be accompanied with the word "style," "type," or "brand" or a statement identifying the locality in which the product is prepared.

4. Section 17.3 (c) (6) is amended to read as follows:

(6) The word "fresh" shall not be used on labels to designate product which contains any sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite, or which has been salted for preservation.

5. Section 17.3 (c) (29) is amended to read as follows:

(29) Product labeled "hash" shall contain not less than 35 percent of meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the uncooked weight of the fresh meat. Corned beef hash shall not be made with cereal, vegetable flour, dried skim milk, or similar substances. Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap, may be used individually or collectively to the extent of 5 percent of the meat ingredient in the preparation of corned beef hash. When beef cheek meat, beef head meat, and beef heart meat are used in the preparation of this product, their presence shall be reflected in the statement of ingredients as required by Parts 16 and 17 of this subchapter.

6. Section 17.3 (c) (42) is amended to read as follows:

(42) Canned product labeled "Corned Beef" and canned product labeled "Roast Beef Parboiled and Steam Roasted" shall be prepared so that the weight of the finished product shall not exceed 70 percent by weight of the fresh beef, plus salt and flavoring material included in the product. Beef cheek meat and beef head

meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap may be used individually or collectively to the extent of 5 percent of the meat ingredient in the preparation of canned product labeled "Corned Beef" and canned product labeled "Roast Beef Parboiled and Steam Roasted". When beef cheek meat, beef head meat, and beef heart meat are used in the preparation of these products, their presence shall be reflected in the statement of ingredients as required by Part 17 of this subchapter.

PART 18—REINSPECTION AND PREPARATION OF PRODUCT

1. Section 18.7 (d) is amended by substituting a semicolon for the period at the end thereof and adding thereafter the word "or" and new subparagraphs designated as (9) and (10) respectively, reading as follows:

§ 18.7 *Use in preparation of meat food products of chemicals, preservatives, coloring matter; addition of cereal, vegetable starch, dried skim milk, water, etc., substances necessary for refining.* * * *

(d) * * *

(9) Thiodipropionic acid, dilauryl thiodipropionate, distearyl thiodipropionate or combinations thereof in quantities not to exceed $\frac{1}{100}$ of 1 percent of thiodipropionic acid and $\frac{1}{100}$ of 1 percent of either dilauryl thiodipropionate or distearyl thiodipropionate or combinations of the two; or

(10) Butylated hydroxyanisole (a mixture of 2-tertiarybutyl-4-hydroxyanisole and 3-tertiarybutyl-4-hydroxyanisole) and combinations of butylated hydroxyanisole with nordihydroguaiaretic acid or propyl gallate with or without the addition of citric acid or phosphoric acid, may be added as preservatives to animal fats and shortenings containing animal fats. The quantities used shall not exceed $\frac{1}{100}$ of 1 percent of butylated hydroxyanisole, or $\frac{1}{100}$ of 1 percent of nordihydroguaiaretic acid plus $\frac{1}{100}$ of 1 percent of butylated hydroxyanisole, or $\frac{1}{100}$ of 1 percent of propyl gallate plus $\frac{1}{100}$ of 1 percent of butylated hydroxyanisole. Citric acid or phosphoric acid, not to exceed $\frac{1}{1000}$ of 1 percent may be added with butylated hydroxyanisole or with the combinations of butylated hydroxyanisole and nordihydroguaiaretic acid or propyl gallate.

2. Section 18.7 is further amended by adding thereto a new paragraph designated as § 18.7 (p), reading as follows:

(p) Harmless bacterial starters of the acidophilus type may be used in the preparation of such kinds of sausage as thuringer, lebanon bologna, cervelat, salami and pork roll in an amount not to exceed $\frac{1}{2}$ of 1 percent. When used, the harmless bacterial starter shall be included in the list of ingredients in the order of its predominance as required by Parts 16 and 17 of this subchapter.

PART 24—EXPORT STAMPS AND CERTIFICATES

Section 24.1 (a) is amended to read as follows:

§ 24.1 *Manner of affixing stamps and marking product for export.* (a) A num-

bered meat-inspection stamp shall be affixed to each outside container (except cloth wrappings) of any inspected and passed product for export except ship stores and small quantities exclusively for the personal use of the consignee and not for sale or distribution. So far as possible stamps shall be issued serially.

PART 27—IMPORTED PRODUCTS

Section 27.16 (c) (1) is amended to read as follows:

§ 27.16 *Marking and labeling of product U. S. inspected and passed for importation; application of inspection legend.* * * *

(c) * * *

(1) All outside containers of product which have been inspected and passed in compliance with this part shall be marked by the inspector, or under his supervision, "U. S. inspected and passed by Department of Agriculture," or authorized abbreviation thereof and with the name or abbreviation of the name of the official station having jurisdiction over the inspection. The $2\frac{1}{2}$ inch circular rubber import meat brand bearing an authorized abbreviation of the inspection legend and the abbreviated name of the official station shall be used for marking shipping containers of product which conforms to the requirements of this part.

(34 Stat. 1260, as amended, 41 Stat. 241, sec. 306, 46 Stat. 689; 21 U. S. C. 71-91, 96, 19 U. S. C. 1306)

The purpose of the foregoing proposed amendments is to bring into the regulations orders and instructions that have been given to the field operating force of the Meat Inspection Division and inspected establishments during the past year, and to incorporate new material controlling the composition of certain meat food products along lines which have been thoroughly investigated by that Division.

Any person who wishes to submit written data or arguments concerning the proposed amendments may do so by filing them with the Chief of the Meat Inspection Division, Bureau of Animal Industry, Agricultural Research Administration, U. S. Department of Agriculture, Washington 25, D. C., within fifteen days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 26th day of May 1949.

Witness my hand and seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-4496; Filed, June 3, 1949; 9:00 a. m.]

Production and Marketing Administration

[7 CFR, Part 53]

MEATS, PREPARED MEATS, AND MEAT PRODUCTS

GRADING AND CERTIFICATION

Notice is hereby given in accordance with section 4 (a) of the Administrative

Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture is considering amending § 53.2 (1) of the regulations governing the grading and certification of meats, prepared meats, and meat products (7 CFR 53.2 (1)) under the Agricultural Marketing Act of 1946 (7 U. S. C. 1946 ed. 1621 et seq.) and the item for market inspection of farm products in the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Congress; 7 U. S. C. Supp. 414) to read as follows:

(1) *Products.* Meats, prepared meats, meat food products, and meat by-products prepared under Federal inspection or under other official inspection acceptable to the administrator.

The purpose of this proposed amendment is to make certain that any form of sanitary inspection of products covered by the regulations, other than Federal Inspection, shall be subject to acceptance by the Administrator and that it shall be limited to official types of inspection.

Any person who wishes to submit written data, views, or arguments concerning the foregoing proposed amendment may do so by filing them with the Administrator, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 15 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 1st day of June 1949. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-4456; Filed, June 3, 1949; 9:12 a. m.]

[7 CFR, Part 941]

HANDLING OF MILK IN CHICAGO, ILL., MILK MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq., 13 F. R. 8585), a public hearing was held at Chicago, Illinois, September 21-23, 1948, upon proposed amendments to the order, as amended, regulating the handling of milk in the Chicago, Illinois, milk marketing area.

The material issue presented on the record of hearing was whether the handlers receiving Chicago approved milk at plants without distribution facilities in the marketing area should be required to ship to the Chicago or Suburban Chicago marketing area specified percentages of their plant receipts during each of the months of August through November as a condition of continuing the receipts of such plants in the Chicago

PROPOSED RULE MAKING

[7 CFR, Part 965]

[Docket No. AO-166-A-11-RO-1]

HANDLING OF MILK IN CINCINNATI, OHIO,
MARKETING AREAPROPOSED AMENDMENTS TO TENTATIVELY
APPROVED MARKETING AGREEMENT AND TO
ORDER, AS AMENDED

pool in the months of February through July following.

Upon the basis of the evidence introduced at such hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on March 28, 1949, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of such recommended decision and of opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on April 1, 1949 (14 F. R. 1503).

No exceptions to the recommended decision were filed.

Findings and conclusions. The findings and conclusions set forth in the FEDERAL REGISTER (F. R. Doc. 49-2440, 14 F. R. 1503) with respect to this issue are approved and adopted as the findings and conclusions of this decision as if set forth in full herein. Such findings and conclusions provide for no change in the order currently in effect or in the marketing agreement heretofore tentatively approved by the Secretary of Agriculture.

This decision filed at Washington, D. C. this 1st day of June 1949.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-4429; Filed, June 3, 1949;
8:47 a. m.]

[7 CFR, Part 961]

HANDLING OF MILK IN PHILADELPHIA, PA.,
MILK MARKETING AREACONSIDERATION OF SUSPENSION OF CERTAIN
PROVISIONS OF ORDER, AS AMENDED

Notice is hereby given that pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), consideration is being given to the suspension for a limited period, beginning July 1, 1949, of each of the provisions in § 961.4 (a) (1) of Order No. 61, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, milk marketing area, except the provision "Class I milk—the price shall be at least \$5.50 per hundredweight."

This suspension has been proposed by Inter-State Milk Producers' Cooperative Association.

In accordance with the Administrative Procedure Act (5 U. S. C. 1001 et seq.), all persons who desire to submit written data, views, or arguments with respect to the necessity for the action under consideration, are hereby given an opportunity to do so by filing them in quadruplicate with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the tenth day after publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 1st of June 1949.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-4428; Filed, June 3, 1949;
8:47 a. m.]

Proposal No. 3. Delete paragraphs (e) and (f) of § 965.2 and substitute therefor the following:

(e) "Producer" means any person who produces milk which is received at a distributing plant or a receiving station operated by a handler or cooperative marketing association either of which distributes milk within the marketing area under approval of the proper health authorities.

(f) "Handler" means any person, irrespective of whether such person is a producer or a cooperative association, who engages in such handling and distribution of milk, all or a portion of which is disposed of as milk in the marketing area, as is in the current of interstate commerce, or which directly burdens, obstructs, or affects interstate commerce in milk and its products. "Such handling and distribution of milk" as used in this definition, shall include the milk of any producer whose milk has been received previously at a plant described in paragraph (e) of this section, which milk has been caused to be delivered by a cooperative association, during the delivery periods of April, May, and June to a plant from which no milk is disposed of in the marketing area, if payment therefor has been collected by such cooperative association, and such milk shall be deemed to have been received from producers by such cooperative association. "Handler" shall not include any person from whom emergency milk is received or any person who handles only milk of his own production or who only disposes of milk to other handlers.

The following amendments have been proposed by The Cooperative Pure Milk Association:

Proposal No. 4. Amend § 965.5 (b) (2) by deleting such subparagraph and substituting therefor the following:

(2) Class II A milk shall be all milk used to produce cream for consumption as cream and Class II B milk shall be all milk used to produce creamed buttermilk and creamed cottage cheese.

Proposal No. 5. 1. Amend § 965.2 (e) by the addition of the following:

"Grade A producer" means a producer, including milk of handler's own production, meeting qualifications of appropriate Health Authorities as a "Grade A Producer"; "Grade B Producer" means a producer including milk of a handler's own production, designated as a "Grade B Producer" by appropriate Health Authorities.

2. Amend § 965.4 (a) (1) (i) by deleting such subdivision and substituting therefor the following:

(i) The receipt of milk at each plant from "Grade A Producers", from "Grade B Producers" and from other handlers.

3. Amend § 965.4 (a) (1) (vi) by deleting the word "producer" and substituting therefor the phrase "Grade A Producer and Grade B Producer".

4. Amend § 965.4 (a) (2) by deleting the word "producer" and substituting therefor the phrase "Grade A Producer and Grade B Producer".

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1946 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Supps. 900.1 et seq.) notice is hereby given of the reopening of the public hearing held in Cincinnati, Ohio, on February 10 and 11, 1949, in accordance with the decision of the Secretary dated April 19, 1949, published in the FEDERAL REGISTER of April 23, 1949 (14 F. R. 2028), to be held at the Hotel Sinton, Cincinnati, Ohio, beginning at 10:00 a. m., e. s. t., June 9, 1949, for the purpose of receiving any additional evidence with respect to conclusions Nos. (1), (2), (3), and (5) discussed in the recommended decision of the Assistant Administrator, Production and Marketing Administration, dated March 21, 1949, published in the FEDERAL REGISTER of March 24, 1949 (14 F. R. 1327) and for the additional purpose of receiving evidence with respect to the reopened proposals (1 through 7) and certain new proposals (8 through 10) to amend the tentatively approved marketing agreement and the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area (9 F. R. 825, 9880; 10 F. R. 7607; 11 F. R. 7331, 9670, 14011; 12 F. R. 4931; 13 F. R. 2329, 7294). These proposed amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic and emergency conditions which relate to the conclusions referred to above and to the proposed amendments hereinafter set forth:

The following amendment has been proposed by The Cincinnati Sales Association, Inc., and by The Cooperative Pure Milk Association:

Proposal No. 1. Delete subparagraphs (1) and (2) of § 965.6 (a) and substitute therefor the following:

(1) The price of Class I milk for the month of March 1949, for milk of 4.0% butterfat content, shall be \$5.00 per hundredweight, and the price of Class II milk for the month of March 1949, for milk of 4.0% butterfat content, shall be \$4.55 per hundredweight; and for the months of April, May, and June 1949, the price of Class I milk shall be \$4.80 per hundredweight, for milk of 4.0% butterfat content, and the price of Class II milk shall be \$4.35 per hundredweight, for milk of 4.0% butterfat content.

The following amendments have been proposed by The Cincinnati Sales Association, Inc.:

Proposal No. 2. Amend § 965.6 (a) to provide, beginning July 1, 1949, formulas for computing the prices of Class I milk and Class II milk by adding \$1.35 and \$0.90, respectively, to the price for Class III milk.

5. Amend § 965.5 (d) (1) (i) by deleting such subdivision and substituting therefor the following:

(i) From Grade A Producers and Grade B Producers.

6. Amend § 965.5 (d) (2) by deleting the phrase "from producers, including the handler's own production," and substituting therefor the following: "from Grade A Producers and Grade B Producers".

7. Amend § 965.5 (e) by deleting the word "Producers" as it may appear and substituting therefor the phrase, "Grade A Producers and Grade B Producers".

8. Amend § 965.6 (b) by deleting the word "Producers" as it may appear and substituting therefor the phrase, "Grade A Producers and Grade B Producers".

9. Amend § 965.6 (c) by deleting the word "Producers" as it may appear and substituting therefor the phrase, "Grade A Producers and Grade B Producers".

10. Amend § 965.7 by deleting such section and substituting therefor the following:

§ 965.7 *Computation and announcement of uniform price for Grade A Producers and Grade B Producers*—(a) *Computation of uniform price for Grade A Producers.* For each delivery period, the market administrator shall compute the uniform price per hundredweight of milk received by handlers from Grade A Producers as follows:

(1) Add together the values of milk as computed in § 965.6 (c) for handlers who made the payments to the producer-settlement fund as required by § 965.8 (b);

(2) Subtract, if the weighted average butterfat test of all milk received from Grade A Producers by handlers whose milk is represented in the sum computed under subparagraph (1) of this paragraph, is greater than 3.5 percent, or add, if the weighted average butterfat test of such milk is less than 3.5 percent, an amount computed as follows: Multiply the hundredweight of such milk by the variance of its weighted average butterfat test from 3.5 percent, and multiply the resulting amount by 50 cents if the average price of butter described under § 965.6 (a) (3) "was more than 40 cents but not more than 50 cents, such amount (50 cents) to be increased or decreased, as the case may be, by 10 cents for each 10-cent range in such price of butter above or below the range 'more than 40 cents but not more than 50 cents'."

(3) Subtract an amount equivalent to the monies retained pursuant to § 965.12 (b);

(4) Add the balance in the producer-settlement fund not reserved for payment under § 965.12 (b);

(5) Subtract the amount computed pursuant to § 965.9 (a) (2);

(6) Divide by the total hundredweight of milk of Grade A Producers represented in the sum computed pursuant to subparagraph (1) of this paragraph, and

(7) Subtract from the figure obtained in subparagraph (6) of this paragraph not less than 4 cents nor more than 5 cents per hundredweight for the purpose of retaining a cash balance to provide against errors in reports and in payment by handlers. The result shall be

known as the uniform price per hundredweight for such delivery period for milk of Grade A Producers which contains 3.5 percent of butterfat.

(b) *Announcement of prices and transportation rates.* On or before the first day of the following delivery period, the market administrator shall notify each handler of the uniform price for milk and of the price for Class III milk, and shall make public announcement of the uniform price computation. From time to time, the market administrator shall also publicly announce the amounts per hundredweight deducted by each handler from the payments made to producers pursuant to § 965.9 and the amounts actually paid to haulers for the transportation of milk from the farms of producers to such handler's plant or plants, as ascertained from reports submitted pursuant to § 965.4 (a).

11. Amend § 965.8 (a) by deleting the word "Producers" as it may appear and substituting therefor the phrase "Grade A Producers and Grade B Producers".

12. Amend § 965.9 (a) by deleting the word "Producer" as it may appear, and substituting therefor the phrase "Grade A Producer and Grade B Producer".

13. Amend § 965.9 (a) (1) by deleting the word "Producer" as it may appear and substituting therefor the phrase "Grade A Producer".

14. Further amend § 965.9 (a) by changing present subparagraph (2) to subparagraph (3).

15. Further amend § 965.9 (a) by adding a new subparagraph (3) as follows:

(3) Multiply the hundredweight of milk received from each Grade B Producer by a Grade B producer price, computed as follows:

Multiply the total pounds of Class II B milk for the delivery period by the Class II price for 3.5 percent milk; multiply the total pounds of Class III milk for the delivery period by the Class III price for 3.5 percent milk; add the resulting sums and divide by the total pounds of Class II B and Class III milk and adjust the resulting figure to the nearest full cent: *Provided*, That if the milk of each producer was of a weighted average butterfat content other than 3.5 percent, there shall be added or subtracted for each one-tenth of 1 percent variance above or below 3.5 percent, 5 cents if the average price of butter described in § 965.6 (a) (3) "was more than 40 cents but not more than 50 cents, such amount (5 cents) to be increased or decreased, as the case may be, by one cent for each 10-cent range in such price of butter above or below the range "more than 40 cents but not more than 50 cents".

16. Amend § 965.9 (b) by deleting the word "producers" as it may appear and substituting therefor the phrase "Grade A Producers and Grade B Producers".

The following amendments have been proposed by the Dairy Branch, Production and Marketing Administration:

Proposal No. 6. Delete § 965.2 (g) and substitute therefor the following:

(g) "Delivery period" means the calendar month or the total portion of the calendar month during which the pro-

visions of this order or of any amendment thereto are in effect.

Proposal No. 7. Make such changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

The following amendments have been proposed by The Cincinnati Sales Association, Inc., and by The Cooperative Pure Milk Association:

Proposal No. 8. 1. Delete § 965.2 (e) and substitute therefor the following:

(e) "Producer" means any person who produces milk under a dairy farm inspection permit or other equivalent certification issued by the appropriate health authority in the marketing area, which is (1) received at a plant from which Class I milk is disposed of in the marketing area, or (2) milk handled by a cooperative association under conditions set forth in paragraph (f) of this section: *Provided*, That any such person who is not classified as a "Grade A" Producer, or who is down-graded by appropriate health authorities in the marketing area for more than fifteen days during the calendar month in which delivery of milk occurs shall be classified as a "Grade B" Producer for purpose of determining rate of payment under § 965.9.

2. Amend § 965.6 by changing paragraph (b) to paragraph (c) by changing paragraph (c) to paragraph (d) and by changing paragraph (d) to paragraph (e).

3. a. Amend § 965.6 by adding a new paragraph (b) as follows:

(b) "Grade A" milk prices. Each handler who received milk from "Grade A" Producers shall pay, at the time and manner set forth in § 965.8, in addition to the prices provided in paragraphs (a) and (b) of this section, \$0.40 per hundredweight for all milk utilized as Class I and Class II pursuant to § 965.5 (d) (6).

b. With respect to § 965.6 (b). The Cincinnati Sales Association proposes the following:

(b) "Grade A" milk prices. Each handler shall pay, at the time and manner set forth in § 965.8, in addition to the prices provided in paragraphs (a) and (b) of this section, \$0.40 per hundredweight for all milk received from "Grade A" Producers up to an amount equivalent to such handler's total quantity of producer milk classified as Class I and Class II milk pursuant to § 965.5 (d) (6).

4. a. Amend § 965.6 (c) by changing subdivisions (iv) and (v) to (v) and (vi) respectively and by adding a new subdivision (iv) as follows:

(iv) For each handler who receives milk from "Grade A" Producers, multiply the hundredweight in Class I and Class II, computed in accordance with § 965.5 (d) by \$0.40.

b. With respect to § 965.6 (c) The Cincinnati Sales Association proposes the following:

(iv) For each handler who receives milk from "Grade A" Producers, multiply the hundredweight in Class I and

Class II, computed in accordance with § 965.5 (d) not exceeding the quantity of milk received from "Grade A" Producers, by \$0.40.

5. Delete § 965.7 (a) (1) and substitute therefor the following:

(1) Add together the values of milk as computed in § 965.6 (d) for handlers who made the payments to the producer settlement fund as required by § 965.8 (b) for the previous delivery period, except the values provided by § 965.6 (b).

6. a. Amend § 965.7 (a) (6) by deleting the phrase "milk of producers"; and substituting therefor the phrase "milk of 'Grade B' Producers".

b. With respect to § 965.7 (a) (6) The Cincinnati Sales Association proposes the following:

Amend § 965.7 (a) (6) by the addition of the following phrase after the phrase "milk of producers"—add: "not 'Grade A' Producers".

7. Amend § 965.7 by changing paragraph (b) to paragraph (c).

8. Amend § 965.7 by adding a new paragraph (b) as follows:

(b) To the uniform price computed pursuant to paragraph (a) of this section, add an amount computed (to the nearest cent per hundredweight) by dividing the total of the amounts added with respect to milk received from "Grade A" Producers pursuant to § 965.6 (e) by the total hundredweight of milk received from "Grade A" Producers. The result shall be known as the "'Grade A' uniform price" per hundredweight for milk of 3.5 percent butterfat content.

9. a. Amend § 965.9 (a) (1) by deleting the portion before the proviso and substituting therefor the following:

(1) Multiply (1) the hundredweight of milk received from each "Grade B" Producer by the uniform price for Grade B milk and

(2) The hundredweight of milk received from each "Grade A" Producer by the "Grade A" uniform price.

b. With respect to § 965.9 (a) (1) The Cincinnati Sales Association proposes the following:

(1) Multiply (1) the hundredweight of milk received from each "Grade B" Producer by the uniform price for milk of "Grade B" Producers, and (2) the hundredweight of milk received from

each "Grade A" Producer by the "Grade A" uniform price.

Proposal No. 9. Amend § 965.6 (a) to provide formulas for computing the price of Class I and Class II milk by adding \$1.35 and \$0.90, respectively, to the price for Class III milk.

The following proposed amendment has been proposed by the Cooperative Pure Milk Association:

Proposal No. 10. Delete from § 965.6 (a) (1) the proviso contained therein and substitute therefor the following: "Provided, That if as computed by the Market Administrator the total quantity of producers' milk classified as Class III milk for all handlers is less than 40% of the average of the total producers receipts for the preceding months of July and August of any year, the price of Class I and Class II milk for the following months of October, November, December and January should be increased 15¢ per hundredweight over the prices otherwise applicable pursuant to this subparagraph and subparagraph (2) of this paragraph."

Copies of this notice of hearing and of the tentatively approved marketing agreement, and the order, as amended, now in effect, may be procured from the Market Administrator, 152 E. 4th Street, Cincinnati 2, Ohio, or from the Hearing Clerk, United States Department of Agriculture, in Room 1844, South Building, Washington 25, D. C., or may be there inspected.

Dated: June 1, 1949.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 49-4457; Filed, June 3, 1949;
8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 15]

[Docket No. 9288]

RESTRICTED RADIATION DEVICES

EXTENSION OF DATE

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th of May 1949;

The Commission having under consideration the promulgation of rules and

regulations governing restricted radiation devices and the engineering standards applicable thereto; and

It appearing, that a notice of proposed rule making in the above-entitled matter was adopted by the Commission on April 13, 1949, providing that written comments in connection therewith be filed by interested persons on or before June 1, 1949; and

It further appearing, that The Commission has received (1) a petition by the Westinghouse Electric Corporation requesting, among other things, additional time to appraise the impact of the proposed rules on its operations and products; and (2) a letter from the Chairman of the Intercollegiate Broadcasting System, representing approximately 100 college carrier-current stations, inviting attention to the fact that the June 1st date set by the Commission coincides with examination periods and the close of the academic year at most colleges and universities, and requesting a 60 day extension to permit additional time for interested persons and groups at such institutions to file their comments with the Commission; and

It further appearing, that in view of the foregoing facts, the public interest would be served by an extension of the June 1st date in the above-entitled proceeding; and

It further appearing, that further notice of proposed rule making under section 4 (a) of the Administrative Procedure Act would be impracticable and unnecessary in view of the exclusively procedural nature of the proposed extension of time; and

It further appearing, that authority for this action is contained in Sections 4 (i) and 303 (r) of the Communications Act of 1934, as amended.

It is ordered, That effective immediately, the June 1, 1949, date for the reception of written comments in connection with Docket No. 9288, be and hereby is advanced to August 1, 1949.

(Sec. 4 (i), 48 Stat. 1066, sec. 6 (b), 50 Stat. 191; 47 U. S. C. 4 (i) and 303 (r))

Released: May 25, 1949.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-4434; Filed, June 8, 1949;
9:12 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

[Amtdt. 2]

ORGANIZATION, FUNCTIONS AND PROCEDURE

Former Part 400, Chapter IV, Title 7 (7 CFR, 1946 Supp. 400; 7 CFR, 1947 Supp. 400), is hereby revised and amended in its entirety to read as follows:

SUBPART A—ORGANIZATION

Sec.

1. Creation.
2. Stock.
3. Board of Directors.
4. Management.
5. Central Office.
6. State Crop Insurance Directors.
7. Availability of information and records.

SUBPART B—FUNCTIONS AND PROCEDURES

10. Crops insured.

SUBPART A—ORGANIZATION

SECTION 1. Creation. The Federal Crop Insurance Corporation was created February 16, 1938, by the Federal Crop Insurance Act (7 U. S. C. 1501 et seq.) and is an agency within the United States Department of Agriculture.

SEC. 2. Stock. All capital stock of the Federal Crop Insurance Corporation is owned by the United States.

SEC. 3. Board of Directors. The Federal Crop Insurance Act provides that the Board of Directors shall consist of the Manager of the Corporation, two other persons employed in the Department of Agriculture, and two persons experienced in the insurance business who are not otherwise employed by the Government. The Board is appointed by and holds office at the pleasure of the Secretary of Agriculture.

SEC. 4. Management. The management of the Federal Crop Insurance Corporation is vested in the Board of Directors, subject to the general supervision of the Secretary of Agriculture. The Manager of the Corporation is its chief executive officer, and he is appointed by and holds office at the pleasure of the Secretary of Agriculture. Under the general supervision of the Board, the Manager is responsible for the general direction and supervision of all activities of the Corporation.

SEC. 5. Central Office—(a) General. The principal office of the Federal Crop Insurance Corporation is at Washington 25, D. C., in the South Agriculture Building. It consists of the Office of the Manager of the Corporation, the Program Development Division, the Underwriting Division, the Finance Division, the Administrative Division, the Sales Management Division, and the Claims Division.

(b) Manager. Under the general supervision of the Board of Directors and within established policies and regulations, the Manager is responsible for the executive direction of the Corporation's programs and activities both in Washington and in the field. He determines or approves methods and procedures to be used and coordinates the activities of the Corporation with that of cooperating agencies. In the Office of the Manager there are area directors who assist in supervising and analyzing field activities.

(c) Divisions. The divisions are as follows:

(1) Program Development Division. Develops plans for annual program changes on each commodity and plans for insurance on new commodities; develops insurance contracts and regulations; formulates procedures for the writing of insurance, the determination of acreage and other contract terms, and the collection of premiums; makes economic and statistical analyses of the crop insurance program and proposals for changes.

(2) Underwriting Division. Estimates the amount of risk to which the Corporation may be subjected; makes policy determinations concerning actuarial bases for insurance; prepares procedures for determination of amounts of insurance and premium rates; gives technical assistance to State Directors in connection with actuarial and underwriting phases of the crop insurance program.

(3) Finance Division. Plans, directs, and performs the fiscal, budget, and accounting activities of the Corporation with respect to both capital and administrative funds.

(4) Administrative Division. Plans, directs, and performs the administrative management work of the Corporation

including personnel management, organization analyses, property and supply management, and records and communications management.

(5) Sales Management Division. Develops and directs plans and methods to obtain and maintain participation; develops and directs use of educational materials; supervises and assists in sales campaigns; studies and analyzes sales results and effects of program provisions on participation; works with other government and non-governmental groups to promote a better understanding of the program.

(6) Claims Division. Plans, directs and coordinates loss adjustment work; reviews unusual claims and establishes policies for handling such claims; devises policies and procedures for selection and training of loss adjusters; develops and furnishes to field personnel criteria for determining Corporation's liability in case of loss.

(d) Branch Office. The Branch Office of the Corporation, although located at 623 South Wabash Avenue, Chicago 5, Illinois, is part of the Central Office. This office serves all States. Under the immediate supervision of the Manager, it performs the audit and accounting functions relating to crop insurance contracts, maintains files of insurance contracts and related documents, receives premiums and processes indemnity claims. The Branch Office Manager has authority to determine the amount of premium due under established rates, to approve indemnity claims, and to cancel or adjust debts under Public Law 518 (12 U. S. C. 1150 et seq.).

SEC. 6. State Crop Insurance Directors. (a) These directors are located as follows and serve the State where located except where additional States are listed:

PMA Building, Auburn, Ala.; P. O. Box 2781, Little Rock, Ark., for Arkansas and Louisiana; 2288 Fulton Street, Berkeley 4, Calif., for Arizona and California; P. O. Box 579, Fort Collins, Colo., for Colorado and Wyoming; Old P. O. Building, Athens, Ga., for Florida and Georgia; P. O. Box 1539, Boise, Idaho, for Idaho and Utah; 124 South Water Street, Room 237, Decatur, Ill.; U. S. Postal Building, Room 528, 352 South Illinois Street, Indianapolis 9, Ind.; 1101 Walnut Street, Des Moines 7, Iowa; 1122 Moro Street, Manhattan, Kans.; Mill and Maxwell Streets, Lexington 29, Ky.; P. O. Box 1200, Lansing 4, Mich.; P. O. Box 3110, St. Paul 1, Minn.; Room 101, Masonic Temple Building, 1130 West Capitol Street, Jackson, Miss.; I. O. O. F. Building, Tenth and Walnut Streets, Columbia, Mo.; P. O. Box 519, Lewistown, Mont.; P. O. Box 31, Lincoln 1, Nebr.; 215-16 PMA Building, State College Campus, Raleigh, N. C.; P. O. Box 2017, Fargo, N. Dak.; Room 224 Old Federal Building, Third and State Streets, Columbus 15, Ohio; Ether-ton Building, Sixth and Main Streets, Stillwater, Okla.; 928 North Third Street, Harrisburg, Pa., for Pennsylvania, New Jersey, New York, Connecticut, Delaware, Maryland, Massachusetts, and West Virginia; P. O. Box 660, Columbia, S. C.; P. O. Box 843, Huron, S. Dak.; 152 Fourth Avenue North, Nashville 3, Tenn.; PMA Building, College Station, Tex., for Texas and New Mexico; 609 East Main Street, Richmond 19, Va.; South 124 Wall Street, Spokane 8, Wash., for Washington and Oregon; 117 Monona Avenue, Madison 3, Wis.

(b) Under the immediate supervision of the Office of the Manager of the Corporation, the State Director reviews and

accepts or rejects applications for crop insurance, supervises and reviews the adjustment of losses, provides information concerning crop insurance and in general represents the Corporation in the State. In some states the state director is assisted by district supervisors who in turn supervise part-time adjusters. State Directors have authority, within procedures approved by the Manager, to approve amounts of insurance and premium rates. Field work in connection with establishing amounts of insurance per acre and premium rates, the sale of insurance, obtaining reports of insured acreage and collecting premiums, is performed under the supervision of the State Director.

SEC. 7. Availability of Information and records. Any person desiring information with respect to crop insurance should request such information from the State Director for the particular state involved or from the Manager, Federal Crop Insurance Corporation, U. S. Department of Agriculture, Washington 25, D. C. Records of the Corporation, including those maintained in the field offices, are available for examination in accordance with the rules issued by the Secretary of Agriculture (7 CFR 1.1 et seq.).

SUBPART B—FUNCTIONS AND PROCEDURES

SEC. 10. Crops insured. (a) The Federal Crop Insurance Act, as amended, (7 U. S. C. 1501 et seq.) authorizes the Corporation to insure crops against unavoidable losses on an experimental basis for the purpose of determining the most practical plan, terms, and conditions of insurance for agricultural commodities. Insurance of wheat is limited to 200 counties, cotton to 56 counties, corn and flax to 50 counties each, tobacco to 35 counties and all other crops to 20 counties. Ten crops (including wheat, cotton, corn, flax, and tobacco) may be insured in 1949, and three additional crops may be added each year thereafter. Insurance, within the county limitations set forth above, is now offered on wheat, cotton, flax, corn, tobacco and dry edible beans. In addition, multiple crop insurance (insurance under one contract with a producer on two or more of the number of crops which may be insured) is offered in seven counties.

(b) Regulations governing current insurance programs may be found in the FEDERAL REGISTER and in Title 7, Code of Federal Regulations, Parts 415 to 421, inclusive.

Issued this 1st day of June, 1949.

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-4427; Filed, June 3, 1949;
9:04 a. m.]

Rural Electrification Administration [Administrative Order 2108]

OKLAHOMA

LOAN ANNOUNCEMENT

MAY 12, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of

NOTICES

the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Oklahoma 31L, N Woodward..... \$700,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-4458; Filed, June 3, 1949;
8:51 a. m.]

[Administrative Order 2109]

OKLAHOMA

LOAN ANNOUNCEMENT

MAY 12, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Oklahoma 20L, M Garvin..... \$540,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-4459; Filed, June 3, 1949;
8:51 a. m.]

[Administrative Order 2110]

KANSAS

LOAN ANNOUNCEMENT

MAY 12, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Kansas 7P Jewell..... \$240,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-4460; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2111]

MISSOURI

LOAN ANNOUNCEMENT

MAY 12, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Missouri 41P, T Platte..... \$315,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-4461; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2112]

KANSAS

LOAN ANNOUNCEMENT

MAY 16, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended,

a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Kansas 42B Lane..... \$560,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-4462; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2113]

MINNESOTA

LOAN ANNOUNCEMENT

MAY 16, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Minnesota 81H Aitkin..... \$625,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-4463; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2114]

KANSAS

LOAN ANNOUNCEMENT

MAY 16, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Kansas 51A Wichita..... \$5,400,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-4464; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2115]

MISSISSIPPI

LOAN ANNOUNCEMENT

MAY 18, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Mississippi 40S, T Smith..... \$1,235,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4465; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2116]

OKLAHOMA

LOAN ANNOUNCEMENT

MAY 18, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Oklahoma 33E, G, H Latimer..... \$760,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4466; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2117]

INDIANA

LOAN ANNOUNCEMENT

MAY 18, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Indiana 29M Fulton..... \$195,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4467; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2118]

MISSOURI

LOAN ANNOUNCEMENT

MAY 18, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Missouri 24S, T Callaway..... \$470,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4468; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2119]

WYOMING

LOAN ANNOUNCEMENT

MAY 18, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Wyoming 6M Goshen..... \$585,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4469; Filed, June 3, 1949;
8:52 a. m.]

[Administrative Order 2120]

IOWA

LOAN ANNOUNCEMENT

MAY 18, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Iowa 2K Sioux.....	\$210,000

[SEAL]

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4470; Filed, June 3, 1949;
8:53 a. m.]

[Administrative Order 2121]

ILLINOIS

LOAN ANNOUNCEMENT

MAY 18, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Illinois 46L Madison.....	\$970,000

[SEAL]

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4471; Filed, June 3, 1949;
8:53 a. m.]

[Administrative Order 2122]

OKLAHOMA

LOAN ANNOUNCEMENT

MAY 19, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Oklahoma 21T, V Washita.....	\$260,000

[SEAL]

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4472; Filed, June 3, 1949;
8:53 a. m.]

[Administrative Order 2123]

MISSOURI

LOAN ANNOUNCEMENT

MAY 19, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Missouri 55N Cedar.....	\$605,000

[SEAL]

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4473; Filed, June 3, 1949;
8:53 a. m.]

[Administrative Order 2124]

OHIO

LOAN ANNOUNCEMENT

MAY 19, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Ohio 75K Williams.....	\$405,000

[SEAL]

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4474; Filed, June 3, 1949;
8:53 a. m.]

[Administrative Order 2125]

OKLAHOMA

LOAN ANNOUNCEMENT

MAY 19, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Oklahoma 29L, N Hughes.....	\$755,000

[SEAL]

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-4475; Filed, June 3, 1949;
8:53 a. m.]

FEDERAL COMMUNICATIONS
COMMISSIONANNOUNCEMENT OF PLANS FOR FURTHER
TELEVISION PROCEEDINGS

MAY 26, 1949.

The Federal Communications Commission announced today that in accordance with plans adopted Friday, May 20, 1949, it will institute further proceedings looking toward (1) lifting the "freeze" on the present VHF television band, (2) providing a substantial number of UHF channels for commercial television broadcast service, (3) affording an opportunity for the submission of proposals looking toward the optional use of 6 megacycle color in all channels in such a way as to permit reception on an ordinary television receiver with relatively minor modifications, and (4) adopting a nation-wide assignment plan covering commercial operation in both bands.

The Commission finds that these problems are so closely related that it is not feasible to lift the present TV "freeze" without first having more channels available and an over-all allocation plan. Accordingly, it proposes to utilize approximately one-half of the lower portion of the UHF band for regular television operation on 6 megacycle channels. This band has been available for operation on an experimental basis. The upper portion of the band will be kept open for television research such as stratovision,

polycasting and high definition monochrome and color.

The Commission also proposes to afford an opportunity for the submission of proposals looking toward utilization of all television channels for 6 Mc monochrome or color on an optional basis in such a way as to permit reception on the ordinary television receiver with relatively minor modifications.

The Commission desires to emphasize that if as a result of these proceedings it is shown that color television can be operated satisfactorily within a 6 megacycle channel in such a way as to permit reception on the ordinary television receiver with relatively minor modifications, the Commission will make provision for licensing stations both in the VHF and UHF bands when it is shown that sufficient receivers and parts are available to permit adapting monochrome receivers for color reception.

The combined schedule calls for proposed rule making proceedings as required by the Administrative Procedure Act. A notice of proposed rule making will be issued within approximately six weeks from this date. The proposed rules will not only cover the contemplated use of channels in the UHF band but will also contain a revised allocation table for the present VHF band, taking into consideration the propagation studies of the ad hoc committee.

Upon issuance of the proposed regulations approximately thirty days will be allowed for submission of comment or alternative proposals by those interested. A hearing will follow within ten days or two weeks. Within two weeks after the hearing, the Commission will hold oral argument preparatory to a final decision which will be given priority consideration.

The Commission will attempt to conclude the proceedings as soon as practicable after a fair opportunity is given for hearing all interested persons and allowing for due consideration of the matters presented. In view of the above required procedure, it does not appear that a final decision can be made before late fall. However, the ultimate decision will not only involve lifting the "freeze" but, at the same time, resolve other closely related problems.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-4435; Filed, June 3, 1949;
8:48 a. m.]

[Docket Nos. 8765-8768, 9071, 9321]

A. FRANK KATZENTINE ET AL.

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of A. Frank Katzentine, Miami Beach, Florida, Docket No. 8765, File No. BPCT-127; Miami Broadcasting Company, Miami, Florida, Docket No. 8766, File No. BPCT-218; The Fort Industry Company, Miami, Florida, Docket No. 8767, File No. BPCT-228; Isle of Dreams Broadcasting Corporation, Miami, Florida, Docket No. 8768, File No. BPCT-237; Miami-Holly-

wood Television Corporation, Miami, Florida, Docket No. 9071, File No. BPCT-397; WKAT, Inc., Miami Beach, Florida, Docket No. 9321, File No. BPCT-399.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of May 1949;

The Commission having under consideration (1) the above-entitled application filed by WKAT, Inc. (BPCT-399), for a construction permit for a new TV station at Miami Beach, Florida; (2) the petition of WKAT, Inc., requesting the Commission to designate its above application for hearing in a consolidated proceeding with the applications in Dockets 8766, 8767 and 8768; and (3) the petition of A. Frank Katzentine requesting the Commission to dismiss without prejudice its application for a new TV station at Miami Beach, Florida (BPCT-127; Docket 8765), contingent upon the grant of the above petition of WKAT, Inc.; and

It appearing, that on January 30, 1948, and July 6, 1948, the Commission designated the application of A. Frank Katzentine for a new TV station at Miami Beach, Florida (BPCT-127; Docket 8765), for hearing in a consolidated proceeding with the above-entitled applications because said applications exceeded in number the unassigned television channels allocated to the Miami metropolitan district; and

It further appearing, that A. Frank Katzentine is the sole stockholder of WKAT, Inc.; that he now desires to apply for a new TV broadcast station at Miami Beach, Florida, through WKAT, Inc., rather than individually; and that he has complied with § 1.366 of the Commission's rules and regulations;

It is ordered, That the petitions of WKAT, Inc., and A. Frank Katzentine be granted; that, pursuant to section 309 of the Communications Act of 1934, as amended, the above-entitled application of WKAT, Inc. (BPCT-399), be designated for hearing in a consolidated proceeding with the above-entitled applications, Dockets 8766, 8767, 8768 and 9071, at a time and place to be designated by the Commission upon the same issues specified in FCC Order No. 48-1753 of July 6, 1948; and that the above-entitled application of A. Frank Katzentine (BPCT-127; Docket 8765) be removed from the hearing docket and dismissed without prejudice.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4445; Filed, June 3, 1949;
8:50 a. m.]

[Docket No. 8921]

SUFFOLK BROADCASTING CORP.

ORDER CONTINUING HEARING AND AMENDING
ISSUE

In re application of Suffolk Broadcasting Corporation, Patchogue, New York, Docket No. 8921, File No. BP-6515; for construction permit.

At a session of the Federal Communications Commission, held at its offices

in Washington, D. C., on the 18th day of May 1949;

The Commission having under consideration a petition filed April 29, 1949, by Suffolk Broadcasting Corporation for continuance of the hearing from June 2, 1949, to June 29, 1949, on the above entitled application which requests a permit to construct a new standard broadcast station to operate on frequency 1370 kilocycles, with 500 watts power, daytime only in Patchogue, New York and that issue 1 of the Commission's order of September 1, 1948, designating the said application for hearing be modified to eliminate that part of the issue with reference to the legal qualifications of petitioner;

It appearing, that September 1, 1948, the above entitled application was designated for hearing and that September 29, 1948, the application of Suffolk Broadcasting Corporation for a permit to construct Class B FM broadcast station WFSS, Coram, New York was granted; and

It further appearing, that on the basis of information contained in the above mentioned petition field measurement data are being prepared to determine the nature and extent of the interference between the proposed operation and existing stations and that a site survey for the purpose of specifying a transmitter location is being made which will require a period of several weeks to complete;

It is ordered, That the said petition is granted and that the said hearing on the above-entitled application is continued to 10:00 a. m., Wednesday, June 29, 1949, at Washington, D. C.;

It is further ordered, That, the Commission's order of September 1, 1948 designating the above-entitled application for hearing is amended to show removal therefrom of that part of issue 1 with reference to the legal qualifications of Suffolk Broadcasting Corporation.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4436; Filed, June 3, 1949;
8:48 a. m.]

[Docket Nos. 9102, 9103]

CUSHING BROADCASTING CO. AND PAYNE
COUNTY BROADCASTERS

ORDER CONTINUING HEARING

In re applications of Otto H. Lachenmeyer, d/b as Cushing Broadcasting Company, Cushing, Oklahoma, Docket No. 9102, File No. BP-6594; William Howard Payne, tr/as Payne County Broadcasters, Cushing, Oklahoma, Docket No. 9103, File No. BP-6819; for construction permits.

The Commission having scheduled a hearing upon the above-entitled applications for June 6, 1949, at Cushing, Oklahoma; and

It appearing, that the public interest, convenience and necessity would be served by a continuance of the said hearing;

It is ordered, This 20th day of May 1949, on the Commission's own motion, that the hearing upon the above-entitled applications is continued to 10:00 a. m., Tuesday, July 26, 1949, at Cushing, Oklahoma.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4437; Filed, June 3, 1949;
8:48 a. m.]

[Docket Nos. 9285, 9330]

E. F. PEPPER (KGDM) AND (KGDM-TV)

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of E. F. Pepper (KGDM), Stockton, California, Docket No. 9330, File No. BMP-4518; for additional time in which to complete construction authorized by BP-5554 for Station KGDM, Stockton, California. E. F. Pepper (KGDM-TV), Stockton, California, Docket No. 9285, File No. BMPCT-473; for additional time in which to complete construction of TV station KGDM-TV at Stockton, California.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of May 1949;

The Commission having under consideration the above-entitled application, of E. F. Pepper, licensee of Station KGDM, requesting that the completion date of March 21, 1949 be extended 60 days to September 21, 1949, on the construction authorized by the Commission, on July 21, 1948, to increase power of station KGDM, Stockton, California, from 5 kilowatts to 10 kilowatts, make changes on DA-N, and install a new transmitter; and

It appearing, that no construction has been commenced; and

It further appearing, that, an identical request filed by the applicant for an extension of time in which to complete his TV station was designated for hearing on April 6, 1949 (File No. BMPCT-473, Docket No. 9285).

It is ordered, That, pursuant to section 309 (a) and 319 (b) of the Communications Act of 1934, as amended, the above entitled application is designated for hearing in the same proceeding with the application of E. F. Pepper, File No. BMPCT-473, Docket No. 9285, at a time and place to be specified in a subsequent order upon the following issues:

1. To determine whether E. F. Pepper has been diligent in proceeding with the construction as authorized by BP-5554 for station KGDM at Stockton, California.

2. To determine whether it would be in the public interest, convenience and necessity to grant the above entitled application of E. F. Pepper for additional time in which to complete construction on station KGDM, Stockton, California, as authorized by the Commission on July 21, 1948 (File No. BP-5554).

It is further ordered, That, the order dated April 6, 1949, designating the application, File No. BMPCT-473 of E. F.

Peffer, for hearing is amended, to include the above entitled application of E. F. Peffer.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4440; Filed, June 3, 1949;
8:49 a. m.]

[Docket No. 9322]

TIMES-PICAYUNE PUBLISHING CO.
ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of the Times-Picayune Publishing Company, Docket No. 9322, File No. BMPCT-466; for additional time in which to complete construction of TV Station WTPS-TV, New Orleans, Louisiana.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of May 1949;

The Commission having under consideration the above-entitled application of the Times-Picayune Publishing Co. (File No. BMPCT-466) for additional time in which to complete construction of TV broadcast Station WTPS-TV, New Orleans, Louisiana; and

It appearing, that on January 30, 1948, the Commission granted the Times-Picayune Publishing Co. a construction permit for a TV broadcast station at New Orleans, Louisiana (BPCT-252); and

It further appearing, that the construction of the TV broadcast station authorized on January 30, 1948 has not been completed; and

It further appearing, that on April 13, 1949, the Commission denied the above-entitled application of the Times-Picayune Publishing Co. (BMPCT-466) for additional time in which to complete construction of TV broadcast Station WTPS-TV, New Orleans, Louisiana; and that the Commission by a letter dated April 14, 1949, gave the Times-Picayune Publishing Co. 20 days within which to request a hearing on its above-entitled application; and

It further appearing, that on May 4, 1949, the Times-Picayune Publishing Co. filed a request for a hearing in its above-entitled application (BMPCT-466) for additional time in which to complete construction of TV broadcast Station WTPS-TV, New Orleans, Louisiana;

It is ordered, That the Commission's action of April 13, 1949, denying the above-entitled application be set aside; and

It is further ordered, That, pursuant to sections 309 and 319 of the Communications Act of 1934, as amended, and § 3.615 of the Commission's rules and regulations, the above-entitled application (File No. BMPCT-466) is designated for hearing, at a time and place to be specified in a subsequent order upon the following issues:

1. To determine whether the Times-Picayune Publishing Co. has been diligent in proceeding with the construction of the TV broadcast Station WTPS-TV,

New Orleans, Louisiana, as authorized by the construction permit granted January 30, 1948 (File No. BPCT-252).

2. To determine whether it would be in the public interest, convenience and necessity to grant the application of the Times-Picayune Publishing Co. (File No. BPCT-466) for additional time in which to construct the TV broadcast Station WTPS-TV at New Orleans, Louisiana, as authorized by the Commission on January 30, 1948 (File No. BPCT-252).

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4442; Filed, June 3, 1949;
8:49 a. m.]

[Docket No. 9323]

LA GRANGE BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of Russell G. Salter and Charles F. Sebastian a partnership d/b as The La Grange Broadcasting Company, La Grange, Illinois, Docket No. 9323, File No. BP-6984; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of May 1949;

The Commission having under consideration the above-entitled application which requests a permit to construct a new standard broadcast station to operate on the frequency 1300 kilocycles, with 500 watts power, daytime only in La Grange, Illinois;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Stations WMRO, Aurora, Illinois; WOOD, Grand Rapids, Michigan, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the areas and populations to receive satisfactory service.

It is further ordered, That WMRO, Incorporated, licensee of Station WMRO, Aurora, Illinois, and Grandwood Broadcasting Company, licensee of Station WOOD, Grand Rapids, Michigan, are made parties to the proceeding.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4441; Filed, June 3, 1949;
8:49 a. m.]

[Docket 9324]

BAY COUNTY BROADCASTING CO. (WPCF)

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of Edward G. Holmes and E. L. Dukate, a partnership d/b as Bay County Broadcasting Company (WPCF), Panama City, Florida, Docket No. 9324, File No. BMP-4456; for modification of construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of May 1949;

The Commission having under consideration the above-entitled application for modification of construction permit (File No. BP-6254 which authorized a new standard broadcast station to operate on frequency 1400 kilocycles, with 250 watts power, unlimited time at Panama City, Florida) for approval of antenna, transmitter and studio locations and to change type of transmitter;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine whether the installation and operation of Station WPCF as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular regard to the areas and population to receive satisfactory nighttime service and to the population residing within the 500 mv/m and 250 mv/m blanket contours.

2. To determine whether the proposed transmitter site is located within a residential area contrary to the provisions of § 3.24 (e) of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4439; Filed, June 3, 1949;
8:49 a. m.]

[Docket Nos. 9325, 9326]

VOICE OF CULLMAN AND ONEONTA
BROADCASTING CO.ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of L. E. Duffey and B. C. Eddins d/b as The Voice of Cullman, Cullman, Alabama, Docket No. 9325, File No. BP-7086; J. E. Bains, d/b as Oneonta Broadcasting Company, Oneonta, Alabama, Docket No. 9326, File No. BP-7196; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of May 1949;

The Commission having under consideration the above-entitled applications of L. E. Duffey and B. C. Eddins d/b as The Voice of Cullman for a permit to construct a new standard broadcast station to operate on the frequency 910 kilocycles, with 500 watts power, daytime only in Cullman, Alabama, and of J. E. Bains, d/b as Oneonta Broadcasting Company for a permit to construct a new standard broadcast station to operate on the frequency 910 kilocycles, with 1 kilowatt power, daytime only in Oneonta, Alabama;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the individual applicant and of the applicant partnership and the partners to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with Station WKAX, Birmingham, Alabama, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of

Good Engineering Practice Concerning
Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That, Courier Broadcasting Service, Incorporated, licensee of Station WKAX, Birmingham, Alabama is made a party to the proceeding.

FEDERAL COMMUNICATIONS
COMMISSION

[SEAL]

WILLIAM P. MASSING,
Acting Secretary.[F. R. Doc. 49-4444; Filed, June 3, 1949,
8:49 a. m.]

[Docket Nos. 9327, 9328]

GREENSBORO BROADCASTING CO., INC., AND
ALAMANCE BROADCASTING CO., INC.ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of Greensboro Broadcasting Company, Inc., Greensboro, North Carolina (WGBG), Docket No. 9327, File No. BP-6558; for a construction permit. Alamance Broadcasting Company, Inc., Burlington, North Carolina (WBBB), Docket No. 9328, File No. BMP-4492; for modification of construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of May 1949;

The Commission having under consideration (1) the above-entitled applications of Greensboro Broadcasting Company, Inc. for a construction permit to change frequency and hours of operation of station WGBG, Greensboro, North Carolina, now operating on the frequency 980 kilocycles, 1 kilowatt, daytime only, to 950 kilocycles, 1 kilowatt, DA-2, unlimited time, and of the Alamance Broadcasting Company, Inc., to modify its construction permit to change frequency, power and hours of operation of station WBBB, Burlington, North Carolina, from 920 kilocycles, 5 kilowatts, daytime only, to 950 kilocycles, 1 kilowatt, DA-2, unlimited time, and (2) a petition, (styled, "Petition for Leave to Intervene"), with accompanying engineering affidavit, filed April 7, 1949 by the Evening News Association, Inc., licensee of station WWJ, Detroit, Michigan, to designate for hearing the above-entitled application of the Alamance Broadcasting Company, Inc. (WBBB), and to be made a party to the proceeding;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporations, their officers, directors and stockholders to construct and operate stations WGBG and WBBB as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of stations WGBG and WBBB as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of station WBBB as proposed would involve objectionable interference with station WWJ, Detroit, Michigan, and whether the operation of stations WBBB and WGBG as proposed would involve objectionable interference with any other existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of stations WBBB and WGBG as proposed would involve objectionable interference with stations CMBF and CMBG, Havana, Cuba, or with any other existing foreign broadcast station, as defined in the North American Regional Broadcasting Agreement, and the nature and extent of such interference.

6. To determine whether the operation of stations WGBG and WBBB as proposed would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of station WGBG and WBBB as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

8. To determine on a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That, the petition of The Evening News Association Inc., licensee of station WWJ, Detroit, Michigan, is granted and it is made a party to the proceeding.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

WILLIAM P. MASSING,
Acting Secretary.[F. R. Doc. 49-4443; Filed, June 3, 1949;
8:49 a. m.]

[Docket No. 9329]

JOHN M. MORENO

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In the matter of John M. Moreno, 4111 Folsom Street, Los Angeles, California, Docket No. 9329; denial of application for amateur radio operator license.

At a session of the Federal Communications Commission held at its offices in

Washington, D. C., on the 18th day of May 1949:

It appearing, that by Commission order of April 6, 1949, the application of John M. Moreno for an amateur radio operator license was denied; and

It further appearing, that on April 15, 1949, John M. Moreno filed application for a hearing in the above-entitled matter to which he is entitled under the terms of the Commission's order of denial.

It is ordered, That the above-entitled matter be designated for hearing on a date and at a place later to be specified.

It is further ordered, That a copy of this order be transmitted by Registered Mail—Return Receipt Requested to Mr. John M. Moreno, 4111 Folsom Street, Los Angeles, California.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4438; Filed, June 3, 1949;
8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1174]

COUNTY GAS CO.

ORDER DESIGNATING DATE OF HEARING

MAY 27, 1949.

On March 3, 1949, County Gas Company (Applicant), a New Jersey corporation with its principal place of business at Atlantic Highlands, New Jersey, filed an application, supplemented on May 9, 1949, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on March 18, 1949 (14 F. R. 1233).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on June 16, 1949, at 9:45 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however*, That the Commission may, after a non-contested

hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: May 31, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-4421; Filed, June 3, 1949;
8:46 a. m.]

[Docket No. G-1188]

TENNESSEE GAS TRANSMISSION CO.

ORDER FIXING DATE OF HEARING

MAY 31, 1949.

On April 4, 1949, Tennessee Gas Transmission Company (Applicant), a Delaware corporation with its principal place of business at Houston, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of a sales meter station to sell and deliver natural gas to the City of Holly Springs, Mississippi, for distribution and resale in Holly Springs and environs, subject to the jurisdiction of the Commission.

The facilities are more particularly described in the application on file with the Commission and open to public inspection.

Applicant has requested that its application be heard under the shortened procedure provided by §§ 1.32 (a) and 1.32 (b) of the Commission's rules of practice and procedure; and no request to be heard or protest has been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 5, 1949 (14 F. R. 2245).

The Commission finds: This proceeding is a proper one for disposition under the provisions of §§ 1.32 (a) and 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on June 20, 1949 at 9:30 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and

1.37 (f) of the said rules of practice and procedure.

Date of issuance: June 1, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-4425; Filed, June 3, 1949;
8:46 a. m.]

[Docket No. G-1206]

TENNESSEE GAS TRANSMISSION CO.

ORDER FIXING DATE OF HEARING

MAY 31, 1949.

On April 29, 1949, Tennessee Gas Transmission Company (Applicant), a Delaware corporation with its principal place of business at Houston, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to construct and operate three sales meter stations at points on its main transmission pipe line in Kentucky for the delivery and sale of natural gas to the Western Kentucky Gas Company, as more fully described in the application on file with the Commission and open to public inspection.

Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure for non-contested proceedings, and this proceeding appears to be a proper one for disposition under the provisions of the aforesaid rule, provided no request to be heard, protest or petition raising an issue of substance is filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 17, 1949 (14 F. R. 2600-01).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on June 20th, at 9:45 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: June 1, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-4426; Filed, June 3, 1949;
8:47 a. m.]

[Docket Nos. E-6194, E-6212]

ARIZONA EDISON CO., INC., AND CENTRAL
ARIZONA LIGHT AND POWER CO.ORDER FIXING PLACE OF HEARING AND
CONSOLIDATING PROCEEDINGS

By order dated April 20, 1949, the Commission directed that a public hearing be held commencing June 6, 1949, respecting the matters involved and issues presented in the proceeding entitled in the matter of Arizona Edison Company, Inc., Docket No. E-6194.

By order dated April 20, 1949, in Docket No. E-6212, the Commission directed Central Arizona Light and Power Company to show cause, if any there be, why the Commission should not make the findings and determinations therein set forth. The order further directed that a public hearing be held commencing on June 6, 1949, respecting the matters involved and the issues presented in that proceeding.

The matters involved and the issues presented in the above-named proceedings are generally interrelated and in many respects identical.

Upon consideration whereof the Commission finds: It is reasonable, necessary and appropriate in the public interest that those proceedings be consolidated for the purpose of hearing.

The Commission orders:

(A) The above-docketed proceedings be and they hereby are consolidated for purposes of hearing.

(B) The public hearings ordered in Docket No. E-6194 and Docket No. E-6212, as herein consolidated, be held commencing June 6, 1949, at 9:45 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: June 1, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-4478; Filed, June 3, 1949;
9:04 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-192]

FEATHER AND DOWN INDUSTRY

NOTICE OF HOLDING OF TRADE PRACTICE
CONFERENCE

At a regular session of the Federal Trade Commission held at its office in the city of Washington D. C., on the 1st day of June 1949.

Notice is hereby given that a trade practice conference will be held by the Federal Trade Commission for the Feather and Down Industry in the Blue Room of the McAlpin Hotel, Broadway and 34th Street, New York City, on Thursday, June 23, 1949, commencing at 10 a. m., d. s. t.

All members of the industry are cordially invited to attend and take part in the conference. An official of the Federal Trade Commission will preside.

The Feather and Down Industry embraces the persons, firms, corporations and organizations engaged in the manu-

facture, sale or distribution of pillows, cushions, comforters, sleeping bags, and similar products which are wholly or partially filled with feathers or down; also, all persons, firms, corporations and organizations selling or distributing fully processed feathers or down in bulk for use as filling materials in any such products.

The proceedings will afford members of the industry opportunity to cooperate in revising and supplementing existing trade practice rules for this industry. At the conference members of the industry may present and discuss subjects for rules, propose rules for consideration, and suggest revision or amendment of any existing or proposed rules.

The conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

By direction of the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-4430; Filed, June 3, 1949;
8:48 a. m.]

[Docket No. 5624]

ELECTRIC AUTO-LITE CO.

ORDER APPOINTING TRIAL EXAMINER AND
FIXING TIME AND PLACE FOR TAKING
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 31st day of May A. D. 1949.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Tuesday, June 21, 1949, at ten o'clock in the forenoon of that day e. s. t., Clerk of Courts' Office, Lucas County Court House, Toledo, Ohio.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order;

all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-4446; Filed, June 3, 1949;
8:50 a. m.]

SECURITIES AND EXCHANGE
COMMISSION

[File Nos. 54-159, 54-160, 54-162, 54-164]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

ORDER APPROVING PART I OF TRUSTEE'S
SECOND PLAN

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 27th day of May A. D. 1949.

Bartholomew A. Brickley, Trustee of International Hydro-Electric System ("IHES"), a registered holding company, having filed pursuant to section 11 (d) of the Public Utility Holding Company Act of 1935 his Second Plan with respect to IHES, wherein it is proposed, in Part I of said Plan, to make a further payment of \$100 on the remaining \$700 of the principal amount of each of IHES's \$1,000 Convertible 6% Gold Debentures due April 1, 1944, with interest on said \$100 to the date of payment at the rate of 6% per annum, said payment aggregating the sum of \$2,656,800 plus interest thereon as aforesaid, and that after such payment said Debentures shall bear interest only on the balance thereof then remaining unpaid; and

A public hearing having been held, after appropriate notice, on said Part I of said Plan; and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That Part I of said Plan be, and the same hereby is, approved for submission to the District Court of the United States for the District of Massachusetts, subject, however, to the reservation of jurisdiction with respect to the approval by the Commission of the maximum amounts that may be paid as legal fees and expenses and as fees and expenses of such financial institutions as may be selected as agents in carrying out Part I of the Plan.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-4422; Filed, June 3, 1949;
8:46 a. m.]

[File No. 70-2116]

SOUTHERN NATURAL GAS CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 27th day of May A. D. 1949.

Southern Natural Gas Company ("Southern"), a registered holding company, has filed a declaration and an

amendment thereto with this Commission pursuant to section 7 of the Public Utility Holding Company Act of 1935.

Southern proposes to issue and sell 141,858 additional shares of its common stock having a par value of \$7.50 per share. The additional shares will be offered for subscription pro rata to the stockholders of Southern in the ratio of one share for each ten shares held of record on June 6, 1949, at the price of \$26.00 per share. Such 141,858 shares includes as of May 24, 1949, a maximum of 559 shares to be offered for subscription to the minority stockholders of Alabama Gas Corporation ("Alabama", a subsidiary of Southern) to the extent that such minority stockholders exchange their holdings for common stock of Southern, under an existing offer of exchange, on or before June 6, 1949 for pro rata subscription. The proceeds from the sale of such additional shares of common stock will be added to Southern's working capital and be available for the construction of additions to its properties and for the purchase of additional common stock of its subsidiary company, Alabama. Transferable warrants evidencing such right to subscribe for the additional shares and expiring on June 28, 1949, will be issued to all holders of record of Southern's common stock as of the record date.

Southern further proposes that each warrant will also give the holder thereof who has exercised the same for pro rata subscription, the privilege of subscribing at the same price for additional shares, subject to certain conditions and to allotments therein provided, out of the shares of Southern's common stock, if any, not taken for subscription on the basis described above.

Southern also proposes to make cash payments to the minority holders of Alabama's stock who exchange for Southern stock after June 6, 1949, and before July 11, 1949 (the expiration date of the exchange offer) as compensation for any dilution of their interest in Southern which may result from the issuance and sale of additional common stock of Southern. An amount equal to the market value of one Right will be paid to the holder of each two shares of common stock of Alabama, such market value to be determined as of the date of acceptance of Southern's offer if such date is between June 6, 1949, and June 28, 1949, and as of June 27, 1949, if such offer is accepted after such expiration date and on or before July 11, 1949.

Southern states that no commissions will be paid in connection with the proposed transactions; that the total estimated fees and expenses will amount to \$65,000, including legal fees of company counsel in the amount of \$1,500 and the expenses of the transfer agent in the amount of \$22,500.

Notice of the filing of the declaration having been duly given in the form and manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The declarant having requested that the Commission's order with respect to said declaration issue at the earliest date possible and become effective upon issuance; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations thereunder are satisfied, that no adverse findings are necessary thereunder, and that the estimated fees and expenses in connection with the proposed transactions are not unreasonable, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935 that this said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 49-4423; Filed, June 3, 1949;
8:46 a. m.]

[File No. 70-2157]

ELECTRIC POWER & LIGHT CORP. AND
MIDDLE SOUTH UTILITIES, INC.

NOTICE OF FILING AND NOTICE OF AND
ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of May A. D. 1949.

Notice is hereby given that Electric Power & Light Corporation ("Electric"), and Middle South Utilities, Inc. ("Middle South"), a new holding company organized pursuant to the plan of Electric filed under section 11 (e) of the act (File No. 54-139), both of which companies are registered holding company subsidiaries of Electric Bond and Share Company ("Bond and Share"), have filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935 and have designated sections 6 (a), 7, 9 (a), 10 and 12 (f) thereof and Rule U-43 of the rules and regulations promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Pursuant to the plan of Electric for compliance with section 11 of the act (File No. 54-139), approved by the Commission on March 7, 1949 (Holding Company Act Release Nos. 8889 and 8906), and approved and ordered enforced by the District Court of the United States for the Southern District of New York on April 22, 1949, Electric

proposes to make additional investments in Middle South in the amount of \$9,100,000. Of this amount \$7,000,000 has previously been invested in Arkansas Power & Light Company ("Arkansas"), and Mississippi Power & Light Company ("Mississippi") for which Electric received respectively 320,000 shares of the common stock of Arkansas, and 300,000 shares of the common stock of Mississippi. (Holding Company Act Release Nos. 9007 and 8992). The additional amount of \$2,100,000 is to be advanced to Middle South for subsequent investments by that company in its electric utility subsidiaries.

The application-declaration proposes that Electric shall receive 560,000 additional shares of the common stock of Middle South at a price of \$16.25 per share, in return for the \$9,100,000 investment described above. Said 560,000 shares of the common stock of Middle South are in addition to the 4,400,000 shares of such stock heretofore issued by Middle South to Electric on the consummation of Part I of the Electric Plan in consideration of the transfer by Electric to Middle South of Electric's holdings of the common stocks of Arkansas (except for the 320,000 shares described above), Mississippi (except for the 300,000 shares described above), Louisiana Power & Light Company ("Louisiana"), New Orleans Public Service, Inc. ("New Orleans"), and Gentilly Development Company, Inc. ("Gentilly"), and \$2,000,000 in cash.

Pursuant to the plan the additional shares of common stock of Middle South to be received by Electric will be distributed to the holders of the common stock and option warrants of Electric on the consummation date of Part IV of the Plan which has been set by the Board of Directors of Electric as July 6, 1949.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application-declaration and that said application-declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on said application-declaration pursuant to the applicable provisions of the act and rules of the Commission be held on June 16, 1949 at 10:00 a. m., e. d. s. t., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date the Hearing Room Clerk in Room 101 will advise as to the room in which such hearing is to be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before June 14, 1949 a request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Allen McCullen or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer or officers so designated to preside at such hearing are hereby authorized to exercise all powers granted to the Commission under section 18 (c)

of the act and to a Hearing Officer under the Commission's rules of practice.

The Division of Public Utilities having advised the Commission that it has made a preliminary examination of the application-declaration and that upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether the proposed transactions are fully in accordance with the terms and provisions of the plan of Electric;

(2) Whether the issuance and sale of the common stock is in accordance with the applicable standards and requirements of the act and rules thereunder, particularly sections 6 (a) and 7;

(3) Whether the proposed acquisition of the common stock by Electric satisfies the applicable standards of the act, particularly sections 9, 10 and 12 (f) thereof;

(4) Whether the proposed accounting treatment with respect to the proposed transactions is proper and in conformity with sound accounting principles;

(5) Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder;

(6) What terms and conditions, if any, should be imposed in the public interest or for the protection of investors and consumers.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to the applicants-declarants herein, and to counsel appearing of record in the Electric plan proceedings, and that further notice be given to all other persons by publication of this notice and order in the FEDERAL REGISTER and general release of this notice and order distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-4424; Filed, June 3, 1949;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13298]

CAROLINE SOPHIE ORTH

In re: Trust under the will of Caroline Sophie Orth, deceased. File No. D-28-8798; E. T. sec. No. 10759.

Under the authority of the Trading With the Enemy Act, as amended, Exec-

utive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Emilie Richert, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the sum of \$712.01 held for the account of the persons identified in subparagraph 1 hereof by the National Savings and Trust Company, 15th Street and New York Avenue, Washington, D. C., as trustee, under the will of Caroline Sophie Orth, deceased,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Emilie Richert, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 24, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4447; Filed, June 3, 1949;
8:50 a. m.]

[Vesting Order 13306]

SEIKICHI HAMAGUCHI

In re: Cash owned by Seikichi Hamaguchi. D-39-3452-E-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Seikichi Hamaguchi, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Cash in the sum of \$1,200.72, presently in the possession of the Treasury

Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Seikichi Hamaguchi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 24, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4448; Filed, June 3, 1949;
8:50 a. m.]

CATERINA COMPAGNO CUSIMANO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Caterina Compagno Cusimano; Palermo, Italy; 37053; \$9,969.15 in the Treasury of the United States. All right, title, interest, and claim of any kind or character whatsoever of Caterina Compagno Cusimano in and to the Estate of Francesco F. Cusimano, deceased.

Executed at Washington, D. C., on May 27, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4452; Filed, June 3, 1949;
8:50 a. m.]